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To: Examiner: Dah-Wei D Yuan

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GROUP 1700 6.12.03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Richard H. Blunk et al

Group Art Unit 1745

LOW CONTACT RESISTANCE PEM FUEL CELL

Application No. 09/997,190

Examiner Dah-Wei D Yuan

Filed: Nov. 20, 2001

RESPONSE TO PAPER NO. 2 (RESTRICTION REQUIREMENT)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
ATTN: Mailstop Non Fee Amendment

Sir:

In response to the Office Action dated May 14, 2003 (i.e. Restriction Requirement) , please Examine the subject Application on the basis of the following elected claims and related remarks.

ELECTIONS/REMARKS

THE RESTRICTION -- In the first place, the Examiner has required restriction of the Application to either apparatus claims 1-18 (Group I), or process claims 19 - 30 (Group II), on the basis that the inventions are distinct from each other as product and

process of making same. In the second place, the Examiner has required an election of species in whichever Group Applicants' elect. In this latter regard, the Examiner contends: that Group I contains three patentably distinct species (i.e. claims 1 - 11, claims 12 - 14 and claims 15 - 18) with no generic claim common to all of the product claims; and that Group II contains four patentably distinct species (i.e. claims 19 - 21, claims 22 - 25, claims 26 - 29, and claim 30) with no generic claim common to all of the process claims.

THE ELECTIONS -- Applicants hereby elect to prosecute the product claims 1 - 18, of Group I, and the species claims 1 - 11 thereof (i.e. Group I-1) in the present application. Applicants' election is made without prejudice to filing a Divisional Application(s) on the non-elected claims.

GENERIC CLAIM - Applicants submit that claim 1 is generic to all of the other product claims 2-18 in that it requires broadly only that the current collector have a hyperconductive surface layer that has a conductivity greater than the composite material that underlies it. Independent claim 12 further specifies that the hyperconductive surface layer comprises conductive particles adhering to it. Independent claim 15 further specifies that the hyperconductive surface layer comprises a continuous, oxidation/acid-resistant film. Hence, claim 1 is generic to claims 2 - 18, and accordingly claims 1-18 should all be examined in the present application.

In the light of the foregoing, Applicants respectfully request reconsideration of this Application and early allowance of claims 1-18.

Respectfully submitted,



Lawrence Plant

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